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Attorneys for United States of America

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	No. CR 08-00164 RS
	)	
Plaintiff-Respondent,	)	
	)	<b>STIPULATION AND [PROPOSED]</b>
v.	)	<b>ORDER AMENDING BRIEFING</b>
	)	<b>SCHEDULE</b>
W. SCOTT HARKONEN,	)	
	)	
Defendant-Petitioner.	)	
	)	
	)	

The United States, by and through its counsel Assistant United States Attorney Kyle F. Waldinger and U.S. Department of Justice Trial Attorney Allan Gordus, and the defendant-petitioner W. Scott Harkonen, by and through his counsel Dennis P. Riordan, stipulate and agree as follows:

1. On July 30, 2014, W. Scott Harkonen filed a Petition for Writ of Error Coram

STIP. AND [PROPOSED] ORDER  
CR 08-00164 RS

1 Nobis under 28 U.S.C. § 1651(a) seeking an order vacating his conviction. Doc. 399. The  
2 Petition was subsequently assigned to the Honorable Richard Seeborg. Doc. 403.

3 2. On August 14, 2014, the Court issued an order directing the United States to show  
4 cause as to why the Petition should not be granted. The Court ordered the United States to file its  
5 response by September 15, 2014.

6 3. On August 27, 2014, based on a stipulation of the parties, the Court amended the  
7 briefing schedule to allow the United States to file any opposition seeking dismissal or denial of  
8 the Petition on December 12, 2014, and for the Defendant-Petitioner to file his reply on January  
9 30, 2015. CR 406.

10 4. Since that time, counsel for the United States has been working on the United  
11 States' opposition. However, because of work on other matters and the number of issues raised in  
12 the Petition, the United States needs additional time to complete a thorough response to the  
13 Petition.

14 5. Accordingly, after conferring, the parties now jointly stipulate and agree to the

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1 following amended briefing schedule:

2 January 23, 2015 Government to file any opposition seeking dismissal or  
3 denial of the Petition

4 February 27, 2015 Defendant-Petitioner to file any reply

5 SO STIPULATED.

6 Dated: December 2, 2014

MELINDA HAAG  
United States Attorney

8  
9 /s/

10 KYLE F. WALDINGER  
Assistant United States Attorney

11 ALLAN GORDUS  
12 Trial Attorney

13  
14 Dated: December 2, 2014

/s/

15 DENNIS P. RIORDAN  
16 Attorney for W. SCOTT HARKONEN

17 IT IS SO ORDERED.

18  
19 Dated: 12/2/14

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HON. RICHARD SEEBORG  
United States District Court Judge